

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
AARON COHEN, on behalf of himself and all
others similarly situated,

Plaintiff,

Civil Action No. 2:15-cv-6828 (LDW)

-against-

NOTICE OF MOTION

DITECH FINANCIAL LLC; ROSICKI, ROSICKI
& ASSOCIATES, P.C.,

Defendants.
-----X

PLEASE TAKE NOTICE that upon the annexed Declaration of Carol A. Lastorino, Esq., dated April 8, 2016 and upon the exhibits attached thereto and the accompanying Memorandum of Law in support of this motion, and the pleadings herein, Defendant, Rosicki, Rosicki & Associates P.C., will move this Court, before Honorable Leonard D. Wexler, United States District Judge, presiding, at the United States District Courthouse located 944 Federal Plaza, Central Islip, New York 11722, on such day the Court may direct, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing the Class Action Complaint with prejudice, and for such further and different relief that to the Court may seem just, proper and equitable.

In accordance with the Order of this Court, Plaintiff's opposition papers will be due on May 9, 2016 and Defendants' reply papers will be due on May 18, 2016.

Dated: Uniondale, New York
April 8, 2016

RIVKIN RADLER LLP

By: /s/ Carol A. Lastorino
Carol A. Lastorino, Esq.
Attorneys for Defendant
Rosicki, Rosicki & Associates P.C.
926 RXR Plaza
Uniondale, New York 11556-0926
(516) 357-3101
carol.lastorino@rivkin.com

TO:

Shimshon Wexler, Esq.
The Law Offices of Shimshon Wexler, PC
Attorneys for Plaintiff
216 West 104th Street – Suite 129
New York, New York 10025
swexleresq@gmail.com

Justin Angelo, Esq.
Ballard Spahr LLP
Attorneys for Ditech Financial, LLC
919 Third Avenue – 37th Floor
New York, New York 10022
angeloj@ballardspahr.com